

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.7.1.1
Eastern Division**

Sun Chenyan

Plaintiff,

v.

Case No.:
1:20-cv-00220
Honorable John F.
Kness

The Partnerships and Unincorporated Associations
Identified on Schedule A

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Tuesday, September 24, 2024:

MINUTE entry before the Honorable John F. Kness: With regret for the delay, the Court grants Plaintiff's Motion [254] for Leave to File First Amended Complaint. Rule 15 of the Federal Rules of Civil Procedure provides that courts "should freely give leave [to amend] when justice so requires." Fed. R. Civ. P. 15(a)(2). District courts nonetheless have "broad discretion to deny leave to amend where there is undue delay, bad faith, dilatory motive, repeated failure to cure deficiencies, undue prejudice to the defendants, or where the amendment would be futile." *Arreola v. Godinez*, 546 F.3d 788, 796 (7th Cir. 2008). Those detrimental conditions are not present here such that Plaintiff's motion should be denied. Plaintiff seeks leave to amend primarily to "fully identify the Defendants as those individuals identified by... Wish.com... as the operators of ecommerce stores on the Wish.com platform through which they do business." (Dkt. 254 13.) Plaintiff initially identified the defendants by the names of the Wish.com storefronts, but now seeks to identify what Plaintiff believes are the real parties in interest. (Dkt. 261 at 9.) Such a motivation is not in bad faith, does not represent a dilatory motive, would not cause undue prejudice to Defendants, and does not appear to be futile. Although, as Defendants note (Dkt. 260 at 11), Plaintiff seeks to change the named defendants almost four years after the lawsuit was filed, that does not represent undue delay, given that discovery still has not commenced in earnest. To the extent that Defendants believe their interests will not be represented if they are excluded from the action, the Defendants may move to intervene. *See* Fed. R. Civ. P. 24. Plaintiff is directed to file the operative amended complaint as a separate docket entry on or before 9/27/2024. Defendants must answer or otherwise respond to the amended complaint on or before 10/18/2024. The parties must confer and file a proposed case management schedule on or before 10/25/2024. A telephonic status hearing is set for 11/5/2024 at 9:30 A.M. The parties are to use the following call-in number: 888-684-8852, conference code 3796759. The public and media representatives may have access to the hearing via the same number. Audio recording of the hearing is not permitted; violations of this prohibition may result in sanctions. Participants are directed to keep their device muted when they are not speaking. Mailed notice. (exr,)

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